

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MICHIGAN
(SOUTHERN DIVISION)**

GENESEE VENDING, INC., et al.,)	
)	
Plaintiffs,)	Civil Action No. 04-60091
)	
v.)	Hon. Marianne O. Battani
)	Hon. Wallace Capel, Jr.
)	
LORILLARD TOBACCO COMPANY,)	
)	
Defendant.)	
_____)	

ORDER OF DISMISSAL WITH PREJUDICE

This matter came before the Court upon Stipulation of Plaintiffs and Defendant.

The Court notes the attached Stipulation endorsed hereon and being otherwise duly advised in the premises:

IT IS HEREBY ORDERED that the above-entitled case is voluntarily dismissed with prejudice and without costs and fees to any party.

IT IS SO ORDERED.

Dated: December 8, 2005

s/Marianne O. Battani
Marianne O. Battani
United States District Judge